



State of Idaho

DEPARTMENT OF WATER RESOURCES

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

July 17, 2018

HENRY J & PATRICIA M NAGEL
1135 BURMA RD
OAK HARBOR WA 98277

RE: Response to Notice of Error to Preliminary Recommendation for Coeur d'Alene-Spokane River Basin Adjudication (CSRBA) claim 95-16387

Dear Mr. and Ms. Symons;

The Idaho Department of Water Resources (IDWR) has reviewed the Notice of Error Reply (NOE) you submitted in connection with the preliminary recommendation for claim 95-16387.

The NOE reply requests irrigation to be included on the recommendation as listed on amended claim submitted on August 14, 2015 (enclosed).

Further review of the file shows that the irrigaton portion of original water right license 95-8508 was transferred to the City of Rathdrum. The original assigment authorized 0.07 cfs of the original license in 2004 and then was later amended in 2009 to assign 0.20 cfs.

The City of Rathdrum the filed Transfer 81271 changing that 0.2 cfs, 30 acre-feet, & 10 acres from irrigation use to Municipal use.

The recommendation of 95-16387 represents the remaining portion of that original license that wasn't transferred to the City of Rathdrum.

Because of the above, IDWR was not able to make the requested changes described on the Notice of Error reply you submitted. If you still disagree with the recommendation, you will have the opportunity to file an objection¹ and be heard by the court.

Respectfully,

A handwritten signature in blue ink, appearing to read "Craig L. Saxton", is written over the word "Respectfully,".

Craig L. Saxton
Adjudication Technical Analyst
craig.saxton@idwr.idaho.gov
208.287.4916

¹ Instructions for filing an objection will be included with the mailing of the Director's Report which is estimated to be sent in July of 2018.